



PATENT APPLICATION *AS/SP*
SPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Brendon LILLY

Group Art Unit: 2857

Application No.: 10/501,945

Examiner: E. DESTA

Filed: October 12, 2004

Docket No.: 120496

For: PERFORMANCE MONITORING SYSTEM AND METHOD

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the Decision of the Primary Examiner dated December 29, 2005.

The \$500.00 Appeal Fee (\$250.00 Small Entity) is:

Enclosed (our Check No. 179425)

Not required (fee paid in prior appeal in this application with no Board Decision on the merits).

The shortened statutory period having expired March 29, 2006, it is hereby requested that the period for response be extended for one month. Included in our enclosed check is \$120 in payment of the fee for a one month extension of time for filing this Notice of Appeal.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 15-0461. Two duplicate copies of this document are enclosed.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

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JAO:PWO/jth

01 FC:1401 500.00 OP
02 FC:1251 120.00 OP

Date: May 1, 2006

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